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2179

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|---|------------------------|-----------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/833863 |
| | Filing Date | April 12, 2001 |
| | First Named Inventor | Tomoyuki Funaki |
| | Art Unit | 2179 |
| | Examiner Name | S. M. Hanne |
| Total Number of Pages in This Submission | Attorney Docket Number | 2552-000001/US |

ENCLOSURES (Check all that apply)

| | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Return Receipt Postcard |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|----------------------------------|----------|--------|
| Firm Name | HARNESS, DICKEY & PIERCE, P.L.C. | | |
| Signature | | | |
| Printed name | Gregory A. Stobbs | | |
| Date | November 30, 2005 | Reg. No. | 28,764 |

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Docket No.: 2552-000001/US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tomoyuki Funaki

Application No.: 09/833863

Confirmation No.: 5194

Filed: April 12, 2001

Art Unit: 2179

For: Performance Information Edit And Playback
Apparatus

Examiner: S. M. Hanne

RESPONSE TO ELECTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the election requirement set forth in the Office Action mailed November 1, 2005, applicant hereby elects Invention I directed to claims 1-5, 10-11, 14-15, drawn to selection and compilation of different parts of musical data, classified in class 715, subclass 727.

Applicant's election is made without prejudice and Applicant reserves the right to prosecute the non-elected invention (Invention II, Claims 6, 12 and 16) at a later date.

Application No.: 09/833863

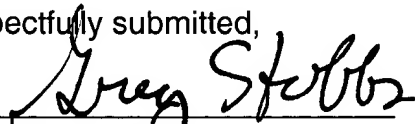
Docket No.: 2552-000001/US

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0750, under Order No. 2552-000001/US from which the undersigned is authorized to draw.

Dated: November 30, 2005

Respectfully submitted,

By



Gregory A. Stolbs

Registration No.: 28,764

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